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PTO/SB/81 (11-96)

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT,
NOT ACCOMPANYING
APPLICATION**

Application Number	U.S. Pat No 5,735,752
Filing Date	Herewith
First Named Inventor	Anthony J. Antonious
Group Art Unit	
Examiner Name	
Attorney Docket Number	

I hereby appoint:

☒ Practitioners at Customer Number

021884

OR

☐ Practitioner(s) named below:

Name	Registration Number

Place Customer
Number Bar Code
Label here

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant.

☒ Assignee of record of the entire interest
Certificate under 37 CFR 3.73(b) is enclosed

SIGNATURE of Applicant or Assignee of Record

Name	Byron H. Adams
Signature	<i>Byron H. Adams</i>
Date	4-3-00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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REISSUE APPLICATION BY THE ASSIGNEE, OFFER TO SURRENDER PATENT		Docket Number (Optional)
<p>This is part of the application for a reissue patent based on the original patent identified below.</p>		
Name of Patentee(s): Anthony J. Antonious		
Patent Number 5735752	Date Patent Issued April 7, 1998	
Title of Invention GOLF CLUB SHAFT AND INSERT THEREFOR		
<p><u>ADAMS GOLF IP LP</u> is the assignee of the entire interest in the original patent.</p> <p>I offer to surrender the original patent.</p> <p><input checked="" type="checkbox"/> A certificate under 37 CFR 3.73(b) is attached.</p> <p>I am authorized to act on behalf of the assignee.</p>		
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.</p>		
Name of assignee ADAMS GOLF IP LP		
Signature of person signing for assignee <i>Byron H. Adams</i>		Date <i>April 3, 2000</i>
Typed or printed name and title of person signing for assignee Byron H. Adams, President		

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: ADAMS GOLF IP LP

Application No./Patent No.: 5,735,752 Filed/Issue Date: April 7, 1998

Entitled: Golf Club Shaft and Insert Therefor

ADAMS GOLF IP LP, a Limited Partnership

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- [X] Copies of assignments or other documents in the chain of title are attached.

NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

April 3, 2000
Date

Byron H. Adams
Signature

Byron H. Adams

Typed or printed name

President

Title

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Anthony J. Antonious

Patent No.: 5,735,752

Group Art Unit:

Issued : 04/07/98

Examiner:

Title : GOLF CLUB SHAFT AND INSERT THEREFOR

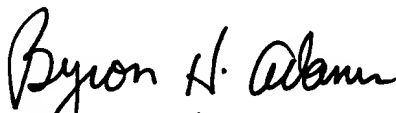
CONSENT OF ASSIGNEE

Commissioner of Patents
and Trademarks
Box Non-Fee Amendment
Washington, D.C. 20231

Sir:

Adams Golf IP LP, assignee of U.S. Patent No. 5,735,752, consents to the filing of the present application for the reissue of U.S. Patent No. 5,735,752

Respectfully submitted,



Byron H. Adams
President, Adams Golf IP LP

AQUILINO, WELSH & FLAXMAN, P.C.
2341 Jefferson Davis Highway
Suite 112
Arlington, VA 22202
(703) 920-1122

Docket No. ADA-119

009040 "TTT54560

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

STATEMENT CLAIMING SMALL ENTITY STATUS

(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

APPLICANT OR PATENTEE: ADAMS GOLF IP LP

SERIAL OR PATENT NO. : _____

FILED OR ISSUED : _____

TITLE : GOLF CLUB SHAFT AND INSERT THEREFOR

DOCKET NO. : ADA-119

I hereby state that I am:

____ - the owner of the small business concern identified below.

X - an official of the small business concern empowered to act on
behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN : ADAMS GOLF IP LP

ADDRESS OF SMALL BUSINESS CONCERN: 2801 E. Plano Parkway, Plano,
Texas 75074

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of

0954511-040600

employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- X - specification filed herewith with title as listed above.
- the application identified above.
- the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not

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qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

X - no such person, concern or organization exists.

 - each such person, concern or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

Name of Person Signing: Byron H. Adams

Title of Person if Other than Owner: President

Address of Person Signing: 2801 East Plano Parkway, Plano, Texas
75074

Date: April 3, 2000 Signature: Byron H. Adams

0054511-040600

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,735,752, granted April 7, 1998, and for which a reissue patent is sought on the invention entitled Golf Club Shaft and
Insert Therefor

the specification of which

☒ is attached hereto.

☐ was filed on _____ as reissue application number ____ / _____
and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

See Attached

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s)

Registration Number

Correspondence Address: Direct all communications about the application to:

☒ Customer Number
 OR

021884

Type Customer Number here

Place Customer Number Bar
 Code Label here

☐ Firm or
 Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Anthony J. Antonious

Inventor's signature

Residence

7738 Calle Facil

Date

Post Office Address

Sarasota FL 34238

Citizenship

United States of America

Full name of second joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Post Office Address

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Post Office Address

☐ Additional joint inventors are named on separately numbered sheets attached hereto.

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ATTACHMENT TO REISSUE APPLICATION DECLARATION

The patent is partly invalid because Applicant claimed less than he had the right to claim in the patent. Specifically, the patent is currently directed to a golf club shaft for a golf club head. The shaft comprises at least one tubular section and a unitary insert attached to the at least one tubular section for regulating the flex point of the shaft. The insert is shorter than the tubular section and has a central section and a pair of couplers integrally formed on opposite ends of the central section. At least one of the couplers is attached to an end of the tubular section of the shaft and the central section extending axially outwardly away from the end of the tubular section. The insert is at least as rigid as the tubular section to which it is attached.

While Applicant and his representative appreciated the structure originally claimed in the present application, Applicant and his representative failed to appreciate and claim the significance of an insert secured at the distal end of the shaft for enhancing swing control, stiffness and flex control, shock absorption and vibration elimination or reduction.

That is, Applicant and his representative failed to appreciate the novelty and unobviousness of designing a golf shaft as disclosed in Figures 7 and 11.

Accordingly, Applicant submits the enclosed reissue application with new claims 42 to 51. The new claims define a golf club shaft having a distal end and a grip end. The shaft includes a tubular section having a first end located at the grip end of the golf club shaft and a second end positioned slightly short of the distal end of the golf club shaft. An insert is secured to the second end of the first member. The insert extends from the second end of the tubular section to the distal end of the golf club shaft and includes a first end securely coupled to the second end of the first member and a second end which is ultimately secured to a golf club head. As claimed in claim 42, the insert is formed from a vibration absorbing material which absorbs undesirable vibrations resulting from an individual striking a golf ball. With regard to claim 47, the insert is formed from a material controlling the stiffness at the distal end of the golf club shaft upon striking a golf ball to thereby stabilize a golf club head secured to the distal end of the golf club shaft.

New claims 42 to 51 are believed to fully define the patentable subject matter which was inadvertently and without deceptive intent, not included in the patent as originally filed.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Anthony J. Antonious

Patent No. : 5,735,752

Filing Date : 07/20/99

Title : Golf club shaft and insert therefor

Title of Paper: Assignment and Recordation Form Cover Sheet

By : HNF/jlk

Docket No. : AJA-398

Fee : \$ 40.00



PATENTS ONLY

Tab settings → → → ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Anthony J. Antonious

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: January 25, 2000

2. Name and address of receiving party(ies):

Name: EXACT RESEARCH INC.

Internal Address: _____

Street Address: 7510 West Mossy Cup

City: Boise State: ID ZIP: 83709

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

5,735,752

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Howard N. Flaxman

Internal Address: AQUILINO, WELSH & FLAXMAN

Street Address: 2341 Jefferson Davis Highway, Suite 112

City: Arlington State: VA ZIP: 22202

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

01-2221

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Howard N. Flaxman

Name of Person Signing

Howard N. Flaxman
Signature

03/01/00

Date

Total number of pages including cover sheet, attachments, and document: 2

ASSIGNMENT

WHEREAS, I, Anthony J. Antonious of ~~7738~~ 7738 Calle Facil, Sarasota, Florida 34238, (hereinafter referred to as "Assignor") have created an Invention regarding a golf club shaft and insert therefor (hereinafter referred to as the "Invention") for which I have obtained a patent in the United States, U.S. Patent Number 5,735,752. dja

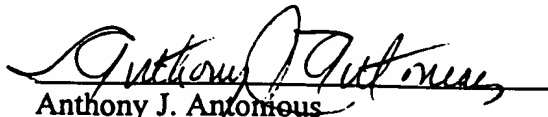
WHEREAS, Exact Research Inc., an Idaho corporation, located at 7510 West Mossy Cup, Boise, Idaho 83709, (hereinafter referred to as "Assignee") is desirous of acquiring from Assignor, the entire right, title and interest in and to the Invention including, but not limited to the Patent, U.S. Patent Number 5,735,752 in the United States, its territorial possessions and in any and all foreign countries.

NOW, THEREFORE, for valuable consideration the receipt of which is hereby acknowledged, Assignor hereby does sell, assign, and transfer unto Assignee the full and exclusive right to the Invention including, but not limited to the Patent, U.S. Patent Number 5,735,752 in the United States, its territorial possessions and in all foreign countries. This sale, assignment and transfer of U.S. Patent Number 5,735,752 includes all rights to all divisions, reissues, continuations, substitutions and renewals thereof in the United States, its territorial possessions and in any and all foreign countries.

Assignor hereby authorizes and requests the Patent and Trademark Office officials in the United States and its territorial possessions and in any and all foreign countries to record and acknowledge that U.S. Patent Number 5,735,752, held in the name of Assignor, has been assigned to Assignee and that Assignee has all rights, title and interest in said Patent as entirely as if the same would have been held by Assignor had this Assignment not been made.

Further, Assignor agrees that he will communicate to Assignee, its successors and/or assigns any facts known to Assignor respecting said Invention and Patent and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, substitute, renewal, and reissue applications, execute all necessary assignment papers to cause the Patent to be owned by Assignee, make rightful oaths, and generally do everything possible to aid said Assignee, its successors, and/or assigns to obtain and enforce proper protection for said Invention and Patent in the United States and its territorial possessions and in any and all foreign countries.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 25th day of JANUARY, 2000.


Anthony J. Antonious

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Anthony J. Antonious

Patent No. : 5,735,752

Filing Date : 07/20/99

Title : Golf club shaft and insert therefor

Title of Paper: Assignment and Recordation Form Cover Sheet

By : HNF/jlk

Docket No. : AJA-398

Fee : \$ 40.00



PATENTS ONLY

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
EXACT RESEARCH INC.

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: **February 28, 2000**

2. Name and address of receiving party(ies):

Name: **ADAMS GOLF IP, L.P.**

Internal Address: _____

Street Address: **2801 East Plano Parkway**

City: **Plano** State: **TX** ZIP: **75074**

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

5,735,752

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Howard N. Flaxman**

Internal Address: **AQUILINO, WELSH & FLAXMAN**

Street Address: **2341 Jefferson Davis Highway, Suite 112**

City: **Arlington** State: **VA** ZIP: **22202**

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41):.....\$ **40.00**

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

01-2221

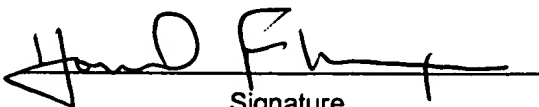
DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Howard N. Flaxman

Name of Person Signing



Signature

03/01/00

Date

Total number of pages including cover sheet, attachments, and document: **3**

ASSIGNMENT

WHEREAS Anthony J. Antonious of 77738 Calle Facil, Sarasota, Florida 34238 created an invention regarding a golf club shaft and insert for which he obtained a patent in the United States, U.S. Patent Number 5,735,752 (hereinafter referred to as the "Invention").

WHEREAS, Anthony J. Antonious assigned all rights to said Invention and patent to Exact Research Inc., an Idaho corporation, located at 7510 West Mossy Cup, Boise, Idaho 83709 (hereinafter referred to as "Assignor").

WHEREAS, Exact Research is the current owner of all rights to said Invention and patent.

WHEREAS, Adams Golf IP, L.P., a limited partnership duly organized under the laws of the State of Delaware, and whose general partner is ADAMS GOLF GP CORPORATION, a Delaware corporation, and having its principal place of business at 2801 East Plano Parkway, Plano, TX 75074 (hereinafter referred to as "Assignee") is desirous of acquiring from Assignor, the entire right, title and interest in and to the Invention including, but not limited to the Patent, U.S. Patent Number 5,735,752 in the United States, its territorial possessions and in any and all foreign countries.


NOW, THEREFORE, for valuable consideration the receipt of which is hereby acknowledged, Assignor hereby does sell, assign, and transfer unto Assignee the full and exclusive right to the Invention including, but not limited to the Patent, U.S. Patent Number 5,735,752 in the United States, its territorial possessions and in all foreign countries. This sale, assignment and transfer of U.S. Patent Number 5,735,752 includes all rights to all divisions, reissues, continuations, substitutions and renewals thereof in the United States, its territorial possessions and in any and all foreign countries.

Assignor hereby authorizes and requests the Patent and Trademark Office officials in the United States and its territorial possessions and in any and all foreign countries to record and acknowledge that U.S. Patent Number 5,735,752, held in the name of Assignor, has been assigned to Assignee and that Assignee has all rights, title and interest in said Patent as entirely as if the same would have been held by Assignor had this Assignment not been made.

Further, Assignor agrees that he will communicate to Assignee, its successors and/or assigns any facts known to Assignor respecting said Invention and Patent and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, substitute, renewal, and reissue applications, execute all necessary assignment papers to cause the Patent to be owned by Assignee, make rightful oaths, and generally do everything possible to aid said Assignee, its

successors, and/or assigns to obtain and enforce proper protection for said Invention and Patent in the United States and its territorial possessions and in any and all foreign countries.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____
day of 2.28.2000, 2000.



by: Faris McMullin
Chief Executive Officer
Exact Research Inc.